

JOHN C. GURGANUS
Acting United States Attorney
Middle District of Pennsylvania

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII
June 17, 2025 9:08 AM
Lucy H. Carrillo, Clerk of Court

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Attorneys for Plaintiff
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BRIAN R. CLELAND,
BRUCE JIN,
CARLOS A. GRIJALVA,

Defendants.

MISC. NO. **25-00211 SASP-WRP**

CRIM. NO. 23-00209 JPW

AMENDED LIS PENDENS

AMENDED LIS PENDENS

Pursuant to § 634-51 of the Hawaii Revised Statutes, notice is hereby given that Plaintiff United States of America has commenced a criminal action in the below-entitled Court against defendants Brian R. Cleland, Bruce Jin, and Carlos A. Grijalva.

Upon the conviction of defendants Brian R. Cleland, Bruce Jin, and Carlos A. Grijalva, the United States shall seek to forfeit certain real property owned by such defendants, pursuant to 18 U.S.C. § 981(a)(1), 28 U.S.C. § 2461(c), and 18 U.S.C. § 982 as any property, real or personal, that constitutes, is derived from, or is traceable to the proceeds obtained directly or indirectly from the commission of the offense of which the person(s) is convicted; or that is used to commit, facilitate, or promote, or intended to be used for the commission of the offense of which the person(s) is convicted or any property traceable to such property, and/or substitute assets, pursuant to 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. § 982(b)(1).

The real property is more fully described in Exhibit “A” incorporated herein by reference.

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The latest conveyance of record with reference to the property is found at the State of Hawaii Bureau of Conveyances, and filed in the Office of the Assistant Registrar of the Land Court as Document No. T-10661092, recorded in the Bureau of Conveyances as Doc. No. A-70090398. The Tax Map Key (TMK) for the unit at the Condominium Property Regime (CPR) is 1-8-4-029-150-0091. The names of the persons whose interests are intended to be affected are Brian R. Cleland, Bruce Jin, and Carlos A. Grijalva.

DATED: June 17, 2025, at Scranton, Pennsylvania

JOHN C. GURGANUS
Acting United States Attorney
Middle District of Pennsylvania

By /s/ Ryan D. Loftus
RYANN D. LOFTUS
Assistant U.S. Attorney

Attorneys for Plaintiff
UNITED STATES OF AMERICA

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA : CR. NO. 1:23-CR-209
:
v. :
: (JUDGE WILSON)
BRIAN R. CLELAND, :
BRUCE JIN, :
CARLOS A. GRIJALVA, : (FILED UNDER SEAL)
:
Defendants. :

OWNER OF RECORD: 7 MANGO, LCC via YONG SONG (manager)
UPI/PARCEL IDENTIFICATION NO.: 1840291500091

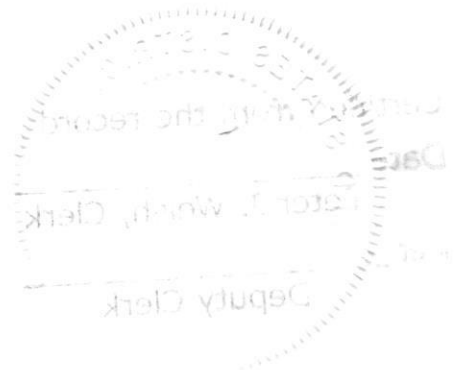
AMENDED LIS PENDENS

NOTICE is hereby given that the United States of America filed an
Indictment in the United States District Court for the Middle District of
Pennsylvania in the foregoing action. The United States of America is seeking to
forfeit the real property located at 84-811 Maiola Street Unit 91 Waianae HI
96792, including all appurtenances thereto, the legal description for which is as
follows:

“FIRST

Unit No. 91 of the Condominium Project known as
‘COTTAGES AT MAUNA ‘OLU’ (the ‘Project’),
established by Declaration of Condominium Property
Regime dated March 8, 2019, filed in the Office of the
Assistant Registrar of the Land Court of the State of Hawaii
as Land Court Document No. T-10661092, recorded in the
Bureau of Conveyances of the State of Hawaii as Document

Certified from the record
Date 6/09/25
Per Peter J. Welsh, Clerk
ERA
Deputy Clerk



as Doc. No. A-70090398, as the same may be amended from time to time (the 'Declaration') and as shown on Condominium Map No. 2434 filed in said Office of the Assistant Registrar, and Condominium Map No. 5910 recorded in said Bureau, as the same may be amended from time to time.

Together with those easements appurtenant to the Unit as set forth in the Declaration, which may include the following:

- (A) Exclusive easements for the use of Limited Common Elements of the Project which are described in the Declaration as being appurtenant to the Unit.
- (B) Nonexclusive easements in the common elements designed for such purposes for ingress to, egress from, utility services for and support of said Unit, in the other common elements for use according to their respective purposes, subject always to the exclusive or limited use of the limited common elements as provided in the Declaration, and in all other units and common elements of the building in which said Unit is located or any adjacent buildings for support.

SECOND:

An undivided 1/120 fractional interest appurtenant to the Unit in all common elements of the Project, as established for said Unit by the Declaration, as tenant in common with all other owners from time to time of undivided interests in and to said common elements.

The land upon which said Condominium Project 'COTTAGES AT MAUNA 'OLU' is located is described as follows:

PARCELS FIRST

All of those certain parcels of land situate at Makaha, District of Waianae, City and County of Honolulu, State of Hawaii, described as follows:

LOT: 1465, area 53,799 square feet, more or less,
1466, area 57,959 square feet, more or less,
1467, area 57,461 square feet, more or less,
1468, area 49,973 square feet, more or less,
1469, area 50,261 square feet, more or less,
1470, area 49,965 square feet, more or less,
1471, area 49,572 square feet, more or less,
1472, area 61,559 square feet, more or less,
1473, area 61,131 square feet, more or less,
1474, area 56,783 square feet, more or less,
1475, area 55,932 square feet, more or less,
1476, area 54,373 square feet, more or less,
1477, area 53,279 square feet, more or less,
1478, area 88,449 square feet, more or less,
1480, area 53,193 square feet, more or less,
1481, area 53,356 square feet, more or less,
1482, area 53,425 square feet, more or less, and
1590, area 63,831 square feet, more or less,
as shown on Map 187, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 1052 (amended) of Waianae Company.

Together with a right of way over Lot 632, as shown on Map 15, Lot 649, as shown on Map 17, Lots 1430-A, 1430-B, 1429-B and 1429-C as shown on Map 185.

Together also with a right of way across Lots 975 and 1005, as shown on Maps 58 and 75, and Easement '62' over and across Lots 1248 and 1241, as shown on Map 168 and 131, as set forth by Land Court Order No. 29882, filed on April 18, 1969.

Together also with a right of way across Easement '158', across Lot 1025-B and Easement '159', across Lot 1025-C, and across Easement '160' across Lot 1430-A as shown on said Map 156.

As to Lots 1465 through 1478 and 1480, together with a right of way over Roadway Lot Nos. 1589 and 1590 as shown on said Map 187.

As to Lots 1481 and 1482, together also with a right of way over Roadway Lot No. 1589 as shown on said Map 187 and as set forth by Land Court Order No. 68505, filed on January 16, 1984.

Together also with a nonexclusive easement to use on Lot 1589 for access, utility, and entry gate purposes, as granted by CONFIRMATION OF GRANT OF EASEMENT FOR ACCESS, UTILITY PURPOSES AND ENTRY GATE dated April 2, 1987, filed as Land Court Document No. 1480401 and subject to the terms and conditions contained therein.

Being land(s) described in Transfer Certificate of Title No. 1,172,743 issued to MAKAI VISTAS AT MAKAI LLC, a Hawaii limited liability company.

PARCEL SECOND

All of that certain parcel of land (being all of the land(s) described in and covered by Royal Patent Number 2339, Land Commission Award Number 9862 to Kanehaku) situate, lying and being at Kekio, Makaha, District of Waianae, City and County of Honolulu, State of Hawaii, being all of Exclusion 3 of Land Court Application No. 1052, and thus bounded and described:

Beginning at the south corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "MAKAHA" being 5495.20 feet north and 1502.00 feet west, thence running by azimuths measured clockwise from true South:

1. 156° 46' 30" 514.20 feet along Lot 1031 as shown on Map 107 of Land Court Application 1052;
2. 244° 02' 65.70 feet along Lot 1031 as shown on Map 107 of Land Court Application 1052;
3. 152° 52' 29.90 feet along Lot 1031 as shown on Map 107 of Land Court Application 1052;
4. 245° 50' 65.99 feet along Lot 1031 as shown on Map 107 of Land Court Application 1052;
5. 335° 21' 117.60 feet along Lot 1031 as shown on Map 107 of Land Court Application 1052;
6. 241° 39' 92.70 feet along Lot 1031 as shown on Map 107 of Land Court Application 1052;
7. 338° 46' 389.40 feet along Lot 1031 as shown on Map 107 of Land Court Application 1052;
8. 53° 31' 217.00 feet along Lot 1031 as shown on Map 107 of Land Court Application 1052 to the

point of beginning and containing an area of 2339
acres, more or less.

PARCEL THIRD

All of that certain parcel of land situate at Makaha, District of
Waianae, City and County of Honolulu, State of Hawaii,
described as follows:

LOT 1479-B, area 7,489 square feet, more or less, as shown on
Map 217, filed in the Office of the Assistant Registrar of the
Land Court of the State of Hawaii with Land Court Application
No. 1052 (amended) of Waianae Company;

Together with a right of way over Lots 672 as shown on Map
46, Lot 649, as shown on Map 19, Lots 1430-A, 1430-B, 1429-
B and 1429-C as shown on Map 185.

Together also with a right of way across Lots 975 and 1005, as
shown on Maps 58 and 75, and Easement '62' over and across
Lots 1248 and 1241, as shown on Map 168 and 131, as set forth
by Land Court Order No. 29882, filed on April 18, 1969.

Together also with a right of way across Easement '158', across
Lot 1025-B and Easement '159', across Lot 1025-C, and across
Easement '160' across Lot 1430-A as shown on said Map 156.

Together also with a right of way over Roadway Lot No. 1589
as shown on said Map 187 and as set forth by Land Court Order
No. 68505, filed on January 16, 1984.

Together also with a nonexclusive easement to use Lot 1589 for
access, utility and entry gate purposes, as granted by
CONFIRMATION OF GRANT OF EASEMENT FOR
ACCESS, UTILITY PURPOSES, AND ENTRY GATE dated

April 2, 1987, filed as Land Court Document No. 148041 and subject to the terms and conditions contained therein.

Being land(s) described in Transfer Certificate of Title No. 1,172,743 issued to MAKAI VISTAS AT MAKAHA, LCC a Hawaii limited liability company.

AS TO PARCELS FIRST, SECOND, AND THIRD

Said parcel(s) of land being more fully described in Declaration of Condominium Property Regime dated March 8, 2019, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Land Court Document No. T-10661092, recorded in the Bureau of Conveyances of the State of Hawaii as Document No. A-70090398, as the same may be amended from time to time.

BEING THE PREMISES ACQUIRED BY LIMITED WARRANTY DEED.”

Attached hereto as “Exhibit A” is a true and correct copy of the deed bearing Certificate of Title (CT) #1249044.

Title 21, United States Code, Section 853(k) states no party claiming an interest in property subject to forfeiture may commence an action at law or equity against the United States concerning the validity of their interest after the filing of an Indictment.

Further information concerning this action reference may be obtained from the records of the Clerk of Court for the United States District Court for the Middle District of Pennsylvania, Federal Building, 235 N. Washington Ave, Scranton, PA 18503.

Respectfully submitted,

JOHN C. GURGANUS
ACTING UNITED STATES ATTORNEY

By: /s/ Ryann D. Loftus
Ryann D. Loftus
Assistant U.S. Attorney
235 N. Washington Ave, Ste. 311
Scranton, PA 18503
Phone: 570-348-2800
Fax: 570-348-2037
Ryann.Loftus@usdoj.gov

Exhibit "A"

DOUBLE SYSTEM



STATE OF HAWAII
OFFICE OF THE ASSISTANT REGISTRAR
RECORDED

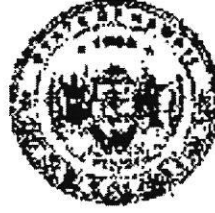
January 19, 2023 8:01 AM

Doc No(s) T - 12071078
on Cert(s) 1172743
Issuance of Cert(s) 1249044

Pkg 12147429 CL

/s/ LESLIE T KOBATA
ASSISTANT REGISTRAR

Conveyance Tax \$4,498.80



STATE OF HAWAII
BUREAU OF CONVEYANCES
RECORDED

January 19, 2023 8:01 AM

Doc No(s) A - 84190553-55 (3)

Pkg 12147429 OFC

/s/ LESLIE T KOBATA
REGISTRAR

Conveyance Tax \$0.00

LAND COURT SYSTEM

REGULAR SYSTEM

AFTER RECORDATION: RETURN BY MAIL OR PICK UP

DS/B

7 Mango LLC
84-920 Alahele Street
Waianae, Hawaii 96792

TG: 201929153

TG: 201929153P
TGE: 20219130080K910 (C. Park)

Tax Map Key No. (1) 8-4-029-150
Unit No. 91; CPR No. 0091

Total Pages: 19

COTTAGES AT MAUNA 'OLU
LIMITED WARRANTY UNIT DEED, ENCUMBRANCES AND RESERVATION OF
RIGHTS WITH POWER OF ATTORNEY

THIS LIMITED WARRANTY UNIT DEED, ENCUMBRANCES AND RESERVATION OF RIGHTS WITH POWER OF ATTORNEY ("Deed") is made on JANUARY 19, 2023 by and between MAKAI VISTAS AT MAKAHA LLC, a Hawaii limited liability company, whose address is 1100 Alakea Street, 27th Floor, Honolulu, Hawaii, 96813, hereinafter called "Grantor," and 7 MANGO LLC, a Hawaii limited liability company, whose address is 84-920 Alahele Street, Waianae, Hawaii 96792, hereinafter called "Grantee."

~~WITNESSETH~~

That Grantor, in consideration of the sum of TEN AND NO/100 UNITED STATES DOLLARS (U.S. \$10.00) and other good and valuable consideration to Grantor paid by Grantee, receipt whereof is hereby acknowledged, and of the promises and covenants hereinafter set forth and on the part of Grantee to be faithfully observed and performed, does hereby grant, bargain, sell and convey unto Grantee, as TENANT IN SEVERALTY, the following described real property (the "Property") and the reversions, remainders, rents, issues and profits thereof and all of the estate, title and interest of Grantor, both at law and in equity, therein and thereto.

The Property hereby conveyed comprises a portion of the COTTAGES AT MAUNA 'OLU condominium project (the "Project"), as established by that certain Declaration of Condominium Property Regime of the Cottages at Mauna 'Olu dated March 8, 2019, recorded at the Office of the Assistant Registrar of the Land Court of the State of Hawaii ("Office") as Document No. T-10661092 and the Bureau of Conveyances of the State of Hawaii ("Bureau") as Document No. A-70090398, as may be amended from time to time (the "Declaration"). The Project consists of that certain land situate at Makaha, District of Waianae, City and County of Honolulu, State of Hawaii, and more particularly described in the Declaration, which description is incorporated herein by this reference, together with the improvements located thereon, as more particularly described in the Declaration. The portion of the Project consisting of the Property hereby conveyed is more particularly described in Exhibit "A", which is attached hereto and incorporated herein by reference. Capitalized terms not defined herein shall have the meanings ascribed to such terms in the Declaration.

TO HAVE AND TO HOLD the same unto Grantee, according to the tenancy and estate hereinabove set forth, in fee simple, absolutely and forever, subject as aforesaid, and subject also to the Declaration and to the Bylaws of the Association of Unit Owners of the Cottages at Mauna 'Olu as described in said Exhibit "A" (the "Bylaws"), and the unrecorded Rules and Regulations of the Association of Unit Owners of the Cottages at Mauna 'Olu (the "House Rules"), and the covenants, conditions and restrictions in the Declaration, Bylaws and House Rules contained, as the same may have been or may hereafter be amended, all of which are incorporated herein by reference and made a part hereof.

The Property shall at all times be used only for the purposes described in the Declaration.

Grantor hereby covenants and agrees with Grantee that Grantor is lawfully seized in fee simple of the Property and the rights granted, bargained, sold and conveyed as herein mentioned; and Grantor has good right to grant, bargain, sell and convey the same in the manner set forth herein; and that the same are free and clear of and from all encumbrances created or suffered by Grantor, except for the encumbrances set forth in said Exhibit "A", and except for the lien of real property taxes not yet by law required to be paid; and Grantor shall WARRANT AND DEFEND the same unto Grantee, forever, against the lawful claims and demands of all persons claiming through Grantor, except as herein set forth.

~~Grantee hereby covenants and agrees, for the benefit of the Unit Owners from time to~~
time of all other units in the Project, to at all times observe, perform, comply with and abide by all of the terms, covenants, conditions, agreements, obligations and restrictions set forth in the Declaration, the Bylaws and the House Rules, as any of the same exist or may hereafter be amended in accordance with law and does hereby accept and approve the Declaration, the Bylaws, and the House Rules and Grantee will indemnify and save harmless Grantor for any failure to observe and perform any such terms, covenants, conditions, agreements, obligations and restrictions for so long as the Declaration, Bylaws and House Rules exist and are in effect.

Grantee further acknowledges and agrees that Grantee has examined (or waived such examination), and has approved the following Project documents (and any and all supplements, addenda and amendments to said documents): the Declaration, the Bylaws, the Condominium Map for the Project (as set forth in Exhibit "A"), the House Rules, the Project's unrecorded escrow agreement, and the unrecorded Public Report issued for the Project. In addition, Grantee hereby agrees and acknowledges that each of the acknowledgments and agreements made by Grantee in the unrecorded Cottages at Mauna 'Olu Purchase Agreement & Deposit Receipt covering the Property, including all supplements, addenda and amendments thereto, shall survive the recordation of this Deed.

Grantee does hereby acknowledge, accept, and consent to all of the rights reserved unto Grantor as set forth in the Declaration, Bylaws and House Rules, including, but not limited to, those rights as set forth in Articles XX through XXXIV of the Declaration, the permitted actions taken by Grantor pursuant thereto, and to the filing of any and all documents necessary to effect the same in said Office and/or said Bureau; agrees to execute, deliver, and record such documents and instruments and do such other things as may be necessary or convenient to effect the same; and appoints Grantor and their assigns his or her attorney-in-fact with full power of substitution to execute, deliver and record such documents and instruments and to do such things on his or her behalf, and to receive or send any legal notices, and to receive service of process (legal papers), which grant of such power, being coupled with an interest, is irrevocable for the term of said reserved rights, and shall not be affected by the disability of such party or parties; which grant of such power shall be binding upon any assign of, or successor-in-interest to, any such party and shall be deemed to be automatically granted anew by any assign or successor-in-interest upon any transfer of any Unit or any interest therein, whether by deed, mortgage, or any other instrument of conveyance. Without limitation to the generality of the rights reserved unto Grantor as set forth in the Declaration and as permitted by law, Grantor will have the right to execute, deliver and record any amendment to the Condominium Documents, any easement instrument, any deed, any amendment to a Unit Deed, certificate of merger, and/or assignment of rights or interest, or such other document or instrument that may be necessary or appropriate to permit Grantor to exercise its rights pursuant to the provisions of the Declaration.

Upon the conveyance or mortgage of any interest in the Property, Grantee, and each successor and assign of Grantee, hereby covenants and agrees to assign all of Grantee's rights under the Home Builder's Limited Warranty and Arbitration Agreement to its grantee, and shall deliver a copy of such assignment to the Association of Unit Owners of the Project. Grantee, and each successor and assign of Grantee, further agrees to indemnify and hold harmless Grantor from and against any and all loss, cost and expense incurred by Grantor as a result of the failure

~~by any grantee to assign its rights under the Home Builder's Limited Warranty and Arbitration Agreement.~~

The rights and obligations of Grantor and Grantee shall be binding upon and inure to the benefit of their respective estates, heirs, devisees, personal representatives, successors, successors-in-trust and assigns. All obligations undertaken by two or more persons shall be deemed to be joint and several unless a contrary intention shall be clearly expressed elsewhere herein. Without limiting the generality of the foregoing, each and every acknowledgment, acceptance, appointment, agreement and covenant of Grantee herein shall run with the land and constitute an equitable servitude and lien, and is made by Grantee for Grantee and on behalf of Grantee's estate, heirs, devisees, personal representatives, successors, successors-in-trust and assigns. Each and every person hereafter acquiring from Grantee or Grantee's estate, heirs, devisees, personal representatives, successors, successors-in-trust or assigns, an interest in the property hereby conveyed, by such acquisition, makes said acknowledgments, acceptances, appointments, agreements and covenants for such person and for such person's estate, heirs, devisees, personal representatives, successors, successors-in-trust and assigns.

In the event that any provision of this instrument is illegal, void or unenforceable for any reason, the remaining terms of this instrument shall remain in full force and effect.

The conveyance herein set forth and the warranties of Grantor concerning the same are expressly declared to be in favor of Grantee, Grantee's heirs, devisees, personal representatives and assigns.

The terms "Grantor" and "Grantee" as and when used herein or any pronouns used in place thereof, shall mean and include the masculine, feminine and neuter, the singular and plural number, individuals, trustees, partnerships, companies or corporations, and their and each of their respective heirs, devisees, personal representatives, successors, successors-in-trust and assigns, according to the context thereof.

Grantor and Grantee agree that this instrument may be executed in counterparts, each of which shall be deemed an original, and said counterparts shall together constitute one and the same instrument, binding upon all of the parties hereto, notwithstanding that all of the parties are not signatories to the original or the same counterparts. For all purposes, including, without limitation, recordation, filing and delivery of this instrument, duplicate, unexecuted and unacknowledged pages of the counterparts may be discarded and the remaining pages assembled as one document.

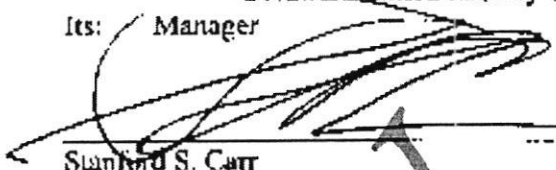
(The remainder of this page is intentionally left blank.)

IN WITNESS WHEREOF, Grantor and Grantee have executed these presents the day
and year first above

MAKAI VISTAS AT MAKAHA LLC,
a Hawaii limited liability company

By: Stanford Carr Development, LLC,
a Hawaii limited liability company

Its: Manager


Stanford S. Carr
Its: Manager

"Grantor"

7 MANGO LLC,
a Hawaii limited liability company

YONG SONG
Its: Manager

"Grantee"

~~IN WITNESS WHEREOF, Grantor and Grantee have executed these presents the day~~
and year first above

MAKAI VISTAS AT MAKAHA I.L.C.,
a Hawaii limited liability company

By: Stanford Carr Development, LLC,
a Hawaii limited liability company
Its: Manager

Stanford S. Carr
Its: Manager

"Grantor"

7 MANGO I.L.C.,
a Hawaii limited liability company


YONG SONG
Its: Manager

"Grantee"

STATE OF HAWAII)
)
 CITY & COUNTY OF HONOLULU) SS:

On JAN 13 2023, before me personally appeared STANFORD S. CARR, who, being by me duly sworn or affirmed, did say that he is a Manager of Stanford Carr Development, I.L.C, a Hawaii limited liability company, which in turn is the Manager of Makai Vistas at Makaha LLC, a Hawaii limited liability company, that the foregoing instrument was signed in the name of and on behalf of said limited liability company, and said person acknowledged that he executed the foregoing instrument as the free act and deed of such person and the limited liability company, and is duly authorized to execute such instrument in such capacity.

Lynnette R. Tachi

Name: Lynnette R. Tachi
 Notary Public, State of Hawaii
 My commission expires: 06/11/2026



NOTARY CERTIFICATION STATEMENT

Document Identification or Description:

**COTTAGES AT MAUNA 'OLU LIMITED WARRANTY UNIT DEED,
 ENCUMBRANCES AND RESERVATION OF RIGHTS WITH POWER OF ATTORNEY**

☐ Doc. Date: _____ or

☒ Undated at time of notarization

No. of Pages: 18 Jurisdiction: First Circuit

(in which notarial act is performed)

Lynnette R. Tachi
 Signature of Notary

Lynnette R. Tachi

Print Name of Notary



Commission expires: 06/11/2026

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Orange

On January 12, 2023 before me, Josh Stittsworth, notary public
(Insert name and title of the officer)

personally appeared Yong Song
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature]

(Seal)

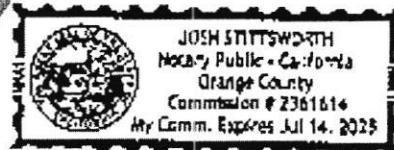


EXHIBIT "A"

-FIRST:-

Unit No. 91 of the Condominium Project known as "COTTAGES AT MAUNA 'OLU" (the "Project"), established by Declaration of Condominium Property Regime dated March 8, 2019, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Land Court Document No. T-10661092, recorded in the Bureau of Conveyances of the State of Hawaii as Document No. A-70090398, as the same may be amended from time to time (the "Declaration") and as shown on Condominium Map No. 2434 filed in said Office of the Assistant Registrar, and Condominium Map No. 5910 recorded in said Bureau, as the same may be amended from time to time.

Together with those easements appurtenant to the Unit as set forth in the Declaration, which may include the following:

- (A) Exclusive easements for the use of Limited Common Elements of the Project which are described in the Declaration as being appurtenant to the Unit.
- (B) Nonexclusive easements in the common elements designed for such purposes for ingress to, egress from, utility services for and support of said Unit, in the other common elements for use according to their respective purposes, subject always to the exclusive or limited use of the limited common elements as provided in the Declaration, and in all other units and common elements of the building in which said Unit is located or any adjacent buildings for support.

-SECOND:-

An undivided 1/120 fractional interest appurtenant to the Unit in all common elements of the Project, as established for said Unit by the Declaration, as tenant in common with all other owners from time to time of undivided interests in and to said common elements.

The land upon which said Condominium Project "COTTAGES AT MAUNA 'OLU" is located is described as follows:

-PARCELS FIRST:-

All of those certain parcels of land situate at Makaha, District of Waianae, City and County of Honolulu, State of Hawaii, described as follows:

- LOT 1465, area 53,799 square feet, more or less,
1466, area 57,959 square feet, more or less,
1467, area 57,461 square feet, more or less,

1468, area 40,073 square feet, more or less,
1469, area 50,261 square feet, more or less,
1470, area 49,965 square feet, more or less,
1471, area 49,572 square feet, more or less,
1472, area 61,559 square feet, more or less,
1473, area 61,131 square feet, more or less,
1474, area 56,783 square feet, more or less,
1475, area 55,932 square feet, more or less,
1476, area 54,373 square feet, more or less,
1477, area 53,279 square feet, more or less,
1478, area 88,449 square feet, more or less,
1480, area 53,193 square feet, more or less,
1481, area 53,356 square feet, more or less,
1482, area 53,425 square feet, more or less, and
1590, area 63,831 square feet, more or less,

as shown on Map 187, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 1052 (amended) of Waiānāe Company.

Together with a right of way over Lot 632, as shown on Map 15; Lot 649, as shown on Map 17, Lots 1430-A, 1430-B, 1429-B and 1429-C as shown on Map 185.

Together also with a right of way across Lots 975 and 1005, as shown on Maps 58 and 75, and Easement "62" over and across Lots 1248 and 1241, as shown on Map 168 and 131, as set forth by Land Court Order No. 29882, filed on April 18, 1969.

Together also with a right of way across Easement "158", across Lot 1025-B and Easement "159", across Lot 1025-C, and across Easement "160" across Lot 1430-A as shown on said Map 156.

As to Lots 1465 through 1478 and 1480, together with a right of way over Roadway Lot Nos. 1589 and 1590 as shown on said Map 187.

As to Lots 1481 and 1482, together also with a right of way over Roadway Lot No. 1589 as shown on said Map 187 and as set forth by Land Court Order No. 68505, filed on January 16, 1984.

Together also with a nonexclusive easement to use Lot 1589 for access, utility and entry gate purposes, as granted by CONFIRMATION OF GRANT OF EASEMENT FOR ACCESS, UTILITY PURPOSES AND ENTRY GATE dated April 2, 1987, filed as Land Court Document No. 1480401 and subject to the terms and conditions contained therein.

Being land(s) described in Transfer Certificate of Title No. 1,172,743 issued to MAKAI VISTAS A'I MAKAIHA LLC, a Hawaii limited liability company.

-PARCEL SECOND-

All of that certain parcel of land (being all of the land(s) described in and covered by Royal Patent Number 2339, Land Commission Award Number 9862 to Kanehaku) situate, lying and being at Kekio, Makaha, District of Waianae, City and County of Honolulu, State of Hawaii, being all of Exclusion 3 of Land Court Application No. 1052, and thus bounded and described:

Beginning at the south corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "MAKAHA" being 5495.20 feet north and 1502.00 feet west, thence running by azimuths measured clockwise from true South:

1. 156° 46' 30" 514.20 feet along Lot 1031 as shown on Map 107 of Land Court Application 1052;
2. 244° 02' 65.70 feet along Lot 1031 as shown on Map 107 of Land Court Application 1052;
3. 152° 52' 29.90 feet along Lot 1031 as shown on Map 107 of Land Court Application 1052;
4. 245° 50' 65.90 feet along Lot 1031 as shown on Map 107 of Land Court Application 1052;
5. 335° 21' 117.60 feet along Lot 1031 as shown on Map 107 of Land Court Application 1052;
6. 241° 39' 92.70 feet along Lot 1031 as shown on Map 107 of Land Court Application 1052;
7. 338° 46' 389.40 feet along Lot 1031 as shown on Map 107 of Land Court Application 1052;
8. 53° 31' 217.00 feet along Lot 1031 as shown on Map 107 of Land Court Application 1052 to the point of beginning and containing an area of 2.339 acres, more or less.

-PARCEL THIRD-

All of that certain parcel of land situate at Makaha, District of Waianae, City and County of Honolulu, State of Hawaii, described as follows:

LOT 1479-B, area 7,489 square feet, more or less, as shown on Map 217, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 1052 (amended) of Waianae Company

~~Together with a right of way over Lot 632, as shown on Map 15; Lot 649, as shown on Map 19, Lots 1430-A, 1430-B, 1429-B and 1429-C as shown on Map 185.~~

Together also with a right of way across Lots 975 and 1005, as shown on Maps 58 and 75, and Easement "62" over and across Lots 1248 and 1241, as shown on Map 168 and 131, as set forth by Land Court Order No. 29882, filed on April 18, 1969.

Together also with a right of way across Easement "158", across Lot 1025-B and Easement "159", across Lot 1025-C, and across Easement "160" across Lot 1430-A as shown on said Map 156.

Together also with a right of way over Roadway Lot No. 1589 as shown on said Map 187 and as set forth by Land Court Order No. 68505, filed on January 16, 1984.

Together also with a nonexclusive easement to use Lot 1589 for access, utility and entry gate purposes, as granted by CONFIRMATION OF GRANT OF EASEMENT FOR ACCESS, UTILITY PURPOSES AND ENTRY GATE dated April 2, 1987, filed as Land Court Document No. 1480401 and subject to the terms and conditions contained therein.

Being land(s) described in Transfer Certificate of Title No. 1,172,743 issued to MAKAI VISTAS AT MAKAHA LLC, a Hawaii limited liability company

-AS TO PARCELS FIRST, SECOND AND THIRD:-

Said parcel(s) of land being more fully described in Declaration of Condominium Property Regime dated March 8, 2019, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Land Court Document No. T-10661092, recorded in the Bureau of Conveyances of the State of Hawaii as Document No. A-70090398, as the same may be amended from time to time.

BEING THE PREMISES ACQUIRED BY LIMITED WARRANTY DEED

GRANTOR: HAWAII AISTAR CO., LTD., a Hawaii corporation

GRANTEE: MAKAI VISTAS AT MAKAHA LLC, a Hawaii limited liability company, as Tenant in Severally

DATED: August 22, 2016

FILED: Land Court Document No. T-9734186

RECORDED: Document No. A-60820172

SUBJECT, HOWEVER, TO THE FOLLOWING:

1. Real Property Taxes, if any, not yet due and owing.

Tax Key: (1) 8-4-029-150, C.P.R. 0091

2. Mineral and water rights of any nature.

3. -AS TO PARCELS FIRST, LOTS 1465 THROUGH 1478, INCLUSIVE, AND LOTS 1480 THROUGH 1482, INCLUSIVE:-

The terms and provisions contained in the following:

INSTRUMENT : DEED
DATED : February 9, 1968
FILED : Land Court Document No. 437151

The foregoing includes, but is not limited to, matters relating to water reservations.

4. -AS TO PARCEL FIRST, LOT 1465:-

(A) DESIGNATION OF EASEMENT "213"

REFERENCED : on Map 187, as set forth by Land Court Order No. 68505, filed on January 16, 1984

(B) GRANT

TO : HAWAIIAN ELECTRIC COMPANY, INC.
DATED : August 9, 1984
FILED : Land Court Document No. 1280333
GRANTING : a right and easement for utility purposes over and across said Easement "213"

5. -AS TO PARCEL FIRST, LOT 1466:-

(A) DESIGNATION OF EASEMENT "212"

REFERENCED : on Map 187, as set forth by Land Court Order No. 68505, filed on January 16, 1984, as amended on Map 315, as set forth by Order filed as Land Court Document No. T-11874116, filed on July 6, 2022.

(B) GRANT

TO : CITY AND COUNTY OF HONOLULU, a municipal corporation of the State of Hawaii
 DATED : — (acknowledged June 29, 1988 and May 10, 1989)
 FILED : Land Court Document No. 1647857
 GRANTING : an easement for sewer purposes over and across said Easement "212"

Portion of said Easement "212" was canceled on Map 315, as set forth by Order filed as Land Court Document No. T-11874116, filed on July 6, 2022. Consent and Joinder by the City and County of Honolulu given therein.

6. -AS TO PARCEL FIRST, LOTS 1466 THROUGH 1470 AND LOTS 1472 THROUGH 1475:-

(A) DESIGNATION OF EASEMENT "215"

REFERENCED : on Map 187, as set forth by Land Court Order No. 68505, filed on January 16, 1984, as amended on Map 315, as set forth by Order filed as Land Court Document No. T-11874116, filed on July 6, 2022.

(B) GRANT

TO : CITY AND COUNTY OF HONOLULU, a municipal corporation of the State of Hawaii
 DATED : — (acknowledged June 29, 1988 and May 10, 1989)
 FILED : Land Court Document No. 1647857
 GRANTING : an easement for sewer purposes over and across said Easement "215"

Portion of said Easement "215" was canceled on Map 315, as set forth by Order filed as Land Court Document No. T-11874116, filed on July 6, 2022. Consent and Joinder of the City and County of Honolulu given therein.

7. -AS TO PARCEL FIRST, LOT 1473:-

DESIGNATION OF EASEMENT "285" (10 feet wide)

REFERENCED : on Map 190, as set forth by Land Court Order No. 69057, filed on March 8, 1984

8. -AS TO PARCEL FIRST, LOT 1474:-

(A) DESIGNATION OF EASEMENT "216"

REFERENCED : on Map 187, as set forth by Land Court Order No. 68505,
filed on January 16, 1984

(B) GRANT

TO : HAWAIIAN ELECTRIC COMPANY, INC.
DATED : August 9, 1984
FILED : Land Court Document No. 1280333
GRANTING : a right and easement for utility purposes over and across
said Easement "216"

9. -AS TO PARCEL FIRST, LOT 1482:-

(A) DESIGNATION OF EASEMENT "219"

REFERENCED : on Map 187, as set forth by Land Court Order No. 68505,
filed on January 16, 1984

(B) GRANT

TO : HAWAIIAN ELECTRIC COMPANY, INC.
DATED : August 9, 1984
FILED : Land Court Document No. 1280333
GRANTING : a right and easement for utility purposes over and across
said Easement "219"

10. -AS TO PARCEL FIRST, LOT 1590:-

(A) Right-of-way in favor of Lots 1465 through 1478 and 1480, as set forth by Land
Court Order No. 68505, filed January 16, 1984.

(B) The terms and provisions contained in the following:

INSTRUMENT : DEED

DATED : January 25, 1984
FILED : Land Court Document No. 1215991

(C) GRANT

TO : HAWAIIAN ELECTRIC COMPANY, INC.
DATED : August 9, 1984
FILED : Land Court Document No. 1280333
GRANTING : a right and easement for utility purposes.

(D) Rights of others who may have easement or access rights in the land described herein.

(F) DESIGNATION OF EASEMENT "402"

REFERENCED : on Map 315, as set forth by Order filed as Land Court Document No. T-11874116, filed on July 6, 2022.

11. -AS TO PARCELS SECOND AND THIRD:-

(A) The terms and provisions contained in the following:

INSTRUMENT : DEED
DATED : December 2, 1988
FILED : Land Court Document No. 1597402
RECORDED : Liber 22630 Page 419

TERMINATION OF RESERVATION dated February 12, 1990, filed as Land Court Document No. 1705937, recorded as Document No. 90-021994.

(B) The terms and provisions contained in the following:

INSTRUMENT : UNILATERAL AGREEMENT AND DECLARATION FOR CONDITIONAL ZONING
DATED : October 4, 1989
FILED : Land Court Document No. 1672611
RECORDED : Liber 23729 Page 304
PARTIES : HONVEST CORP., a Hawaii corporation ("Declarant")

12. -AS TO PARCEL THIRD:-

(A) Right of way in favor of Exclusion 3.

(B) DESIGNATION OF EASEMENT "217"

REFERENCED : on Map 187, as set forth by Land Court Order No. 68505, filed on January 16, 1984

(C) DESIGNATION OF EASEMENT "278" (12 ft. wide)

REFERENCED : on Map 187, as set forth by Land Court Order No. 68505,
filed on January 16, 1984

(D) GRANT

TO : HAWAIIAN ELECTRIC COMPANY, INC.
DATED : August 9, 1984
FILED : Land Court Document No. 1280333
GRANTING : a right and easement over and across said Easement "217"
for utility purposes

13. The terms and provisions contained in the following:

INSTRUMENT : MAUNA OLU SUBDIVISION DECLARATION OF
COVENANTS AND RESTRICTIONS ON ROADWAY
MAINTENANCE, SUBDIVISION OF LOTS AND
HISTORIC RUINS ON LOT 1539

DATED : April 20, 1987
FILED : Land Court Document No. 1485294

The foregoing includes, but is not limited to, matters relating to no further subdivision.

Said Declaration was restated and supplemented by instrument dated June 15, 1987, filed
as Land Court Document No. 1485295.

Said Declaration was amended by instruments dated March 24, 1988, filed as Land
Court Document No. 1539352, dated March 24, 1988, filed as Land Court Document No.
1541308, recorded in Liber 21799 at Page 149, dated March 6, 2007, filed as Land Court
Document No. 3574942, recorded as Document No. 2007-048715, and corrected by
instrument dated April 10, 2007, filed as Land Court Document No. 3587048, recorded
as Document No. 2007-065590.

CERTIFICATE OF WITHDRAWAL dated January 30, 1990, filed as Land Court
Document No. 1705301, recorded as Document No. 90-020584.

~~14. The terms and provisions contained in the following:~~

INSTRUMENT : Unrecorded ADDITIONAL CONSIDERATION AGREEMENT

DATED : August 26, 2016

PARTIES : TOWNE DEVELOPMENT OF HAWAII, INC., a Hawaii corporation ("Seller"), and MAKAI VISTAS AT MAKAHA LLC, a Hawaii limited liability company ("Purchaser")

A MEMORANDUM OF AGREEMENT is dated as of August 26, 2016, filed as Land Court Document No. T-9734187, recorded as Document No. A-60820173.

15. The terms and provisions contained in the following:

INSTRUMENT : DECLARATION OF RESTRICTIVE COVENANTS AND UNILATERAL AGREEMENT FOR ISSUANCE OF CONDITIONAL USE PERMIT UNDER SECTION 21-5.380 OF THE LAND USE ORDINANCE

DATED : August 13, 2018

FILED : Land Court Document No. T-10453165

RECORDED : Document No. A-68010708

PARTIES : MAKAI VISTAS AT MAKAHA LLC, a Hawaii limited liability company ("Declarant")

16. The terms and provisions contained in the following:

INSTRUMENT : DECLARATION OF CONDOMINIUM PROPERTY REGIME FOR "COTTAGES AT MAUNA 'OLU"

DATED : March 8, 2019

FILED : Land Court Document No. T-10661092

RECORDED : Document No. A-70090398

MAPS : 2434 filed in the Office of the Assistant Registrar of the Land Court, and 5910 recorded in the Bureau of Conveyances, and any amendments thereto

Said Declaration was amended by instrument dated as of April 21, 2021, filed as Land Court Document No. T-11460288, recorded as Document No. A-78080482.

-Note:- Any recorded amendments to said Declaration affecting apartments other than the specific apartment described herein, are not shown.

~~17. The terms and provisions contained in the following:~~

INSTRUMENT : BY-LAWS OF THE ASSOCIATION OF UNIT OWNERS
DATED : March 8, 2019
FILED : Land Court Document No. T-10661093
RECORDED : Document No. A-70090399

18. RIGHT OF ENTRY AND TEMPORARY GRANT OF EASEMENT'

TO : HAWAIIAN ELECTRIC COMPANY, INC., a Hawaii
corporation, and HAWAIIAN TELCOM, INC., a Hawaii
corporation
DATED : February 12, 2021
FILED : Land Court Document No. T-11370045
RECORDED : Document No. A-77180347
GRANTING : a right of entry on the Property and temporary easement for
utility purposes